

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-180-12
Relating to Exemptions Under Section 27156
of the Vehicle Code

THE TURBO SHOP, INC.
"AIR-TO-AIR INTERCOOLER KIT FOR 7.3L FORD/NAVISTAR"

WHEREAS, Vehicle Code Section 27156 and Title 13 California Code of Regulations (hereafter "CCR") Section 2222, authorize the California Air Resources Board (ARB) and its Executive Officer to exempt aftermarket devices from the prohibitions in Vehicle Code Section 27156.

WHEREAS, The Turbo Shop, Inc. of 940 W. Manchester Blvd., Inglewood, California 90301, has applied to the ARB for exemption from the prohibitions in Vehicle Code Section 27156 for their air-to-air intercooler kit for 1988-1992 turbocharged Ford Motor Company heavy-duty vehicles powered by a 7.3L Navistar diesel engine.

WHEREAS, pursuant to the authority vested in the Executive Officer by Health and Safety Code Section 39515 and in the Chief, Mobile Source Division by Health and Safety Code Section 39516 and Executive Order G-45-5, the Air Resources Board finds that the above device complies with the California Vehicle Code Section 27156 and Title 13, California Code of Regulations, Section 2222.

IT IS HEREBY RESOLVED that the air-to-air intercooler kit is exempt from the prohibitions in Vehicle Code Section 27156 for installation on the approved heavy-duty Ford turbocharged vehicles powered by a 7.3L Navistar diesel engine subject to the following conditions:

1. No changes are permitted to the air-to-air intercooler kit as described in the original staff report. Any changes to the intercooler kit or any of its components, applicable model year, or other factors addressed in this order must be evaluated and approved by the ARB prior to marketing in California.
2. Marketing of the intercooler kit using identifications other than those accepted by the ARB or marketing of the intercooler kit for application other than those listed above shall be prohibited unless prior approval is obtained from the ARB. Exemption of this product shall not be construed as an exemption to sell, offer for sale, or advertise any components of the intercooler kit as individual devices.
3. Any oral or written references to this Executive Order or its content by The Turbo Shop, Inc., its principals, agents, employees, distributors, dealers, or other representatives must include the disclaimer that the Executive Order or the exemption it provides is not an endorsement or approval of any emissions reduction claims for the intercooler kit and is only a finding that the device is exempt from the prohibitions in Vehicle Code Section 27156.

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This Executive Order does not constitute any opinion as to the effect that the use of this device may have on any warranty either expressed or implied by the vehicle manufacturer.

THIS EXECUTIVE ORDER DOES NOT CONSTITUTE A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY THE AIR RESOURCES BOARD OF CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF THE TURBO SHOP, INC.'S AIR-TO-AIR INTERCOOLER KIT FOR FORD VEHICLES POWERED BY 7.3L NAVISTAR DIESEL ENGINE.

Section 17500 of the Business and Professions Code makes untrue or misleading advertising unlawful, and Section 17534 makes violation punishable as a misdemeanor.

43644. (a) No person shall install, sell, offer for sale, or advertise, or, except in an application to the state board for certification of a device, represent, any device as a motor vehicle pollution control device for use on any used motor vehicle unless that device has been certified by the state board. No person shall sell, offer for sale, advertise, or represent any motor vehicle pollution control device as a certified device which, in fact, is not a certified device. Any violation of this subdivision is a misdemeanor."

Violation of any of the above conditions shall be grounds for revocation of this order. The order may be revoked only after ten day written notice of intention to revoke it, during which period the holder of the order may request in writing a hearing to contest the proposed revocation. If a hearing is requested, it shall be held within ten days of receipt of the request, and the order may not be revoked until a determination is made, after the hearing, that grounds for revocation exist.

Executed at El Monte, California, this 5th day of February, 1992.


R.B. Summerfield
Assistant Division Chief
Mobile Source Division